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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

DAVID STEBBINS,

PLAINTIFF

VS.

Case 3:23-cv-00322-TLT

GOOGLE, LLC

DEFENDANTS

STATEMENT OF RECENT DECISION

Comes now, *pro se* Plaintiff David Stebbins, who hereby submits the following Statement of Recent Decision (pursuant to Local Rule 7-3(d)(1)) in the above-styled action.

1. Throughout its Motion to Dismiss and Reply to my Opposition to same (Dkt. 31 & 41, respectively), the Defendant makes numerous references to a decision made in the case of 4:22-cv-00546-JSW (Stebbins v. Rebolo), where the Court found that the underlying allegedly infringing articles were “clearly fair use criticism,” in support of their belief that this case is indistinguishable in terms of fair use and therefore, deserves to be dismissed with prejudice as frivolous.

2. On March 28, 2023 (yesterday, as of the time of this writing), the judge in that case issued an order vacating his previous judgment and granting my motion for reconsideration, granting me leave to file an Amended Complaint. See Dkt. 30 in that case. For the Court's convenience, a copy of this order is hereby attached as **Exhibit A**.

3. Therefore, the Defendant's argument that this case is indistinguishable is no longer valid. So notified on this, the 29th day of March, 2023.

/s/ David Stebbins
David Stebbins (pro se)